

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

**COURTROOM PROCEEDINGS**

The court met in its courtroom at 1:30 P.M. Present: Honorable Steven M. Vartabedian, Acting Presiding Justice; Honorable Rebecca A. Wiseman, Associate Justice; Honorable Brad Hill, Associate Justice; and Leisa V. Biggers, Clerk/Administrator, by Melissa Lopez, Deputy Clerk.

**F053046 Linda Adams et al., v. MHC Colony Park Limited Partnership**  
Cause called and argued by Steven Fleischman, Esq., counsel for appellant and by Henry Heater, Esq., counsel for respondents.

Cause ordered submitted.

**F051518 People v. Aaron Wheeler**  
Cause called and argued by Susan Keiser, Esq., counsel for appellant and by Julie Hokans, Deputy Attorney General, counsel for respondent.

Cause ordered submitted.

**F053235 Kenneth L. Van Dyke et al., v. Conagra Grocery Products Co.; John Brichetto et al.**

Cause called and argued by Robert Mehlhaff, Esq., counsel for appellants, by Arnold Wolf, Esq., counsel for respondent Conagra Grocery Products Co., and by Roger Schrimp, Esq., counsel for respondents John Brichetto et al.

Cause ordered submitted.

Court recessed until Tuesday, June 17, 2008 at 1:30 P.M.

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- F051784      Anthony Penton v. Allen Westervelt et al.,**  
The judgments in favor of Westervelt and Carey are affirmed.  
Respondents are awarded their costs on appeal. Hill, J.  
We concur: Vartabedian, Acting P.J.; Wiseman, J.  
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F053132      People v. Torres**  
The matter is remanded to the trial court for resentencing. On remand the trial court may not impose a sentence that exceeds seven years in prison. In all other respects, the judgment is affirmed.  
Vartabedian, Acting P.J.  
We concur: Wiseman, J.; Hill, J.  
[CERTIFIED FOR PARTIAL PUBLICATION]
- F052548      People v. Fowler**  
Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.
- F052548      People v. Fowler**  
The judgment is affirmed with modifications.  
By the Court.  
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F053952      People v. Bustamante**  
The above-entitled case is submitted for decision.
- F053952      People v. Bustamante**  
The judgment is affirmed.  
By the Court.  
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]